## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:22-CR-201-MOC-DCK-1

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) ) <u>ORDER</u>
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THIS MATTER IS BEFORE THE COURT on Defendant's "Motion For Hearing On Detention/Release" (Document No. 17) filed January 23, 2023. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Respectfully, the Court will deny the motion without prejudice for the reasons stated.

Defendant is charged by Bill of Indictment with one count of possession of a firearm by a convicted felon. (Document No. 1). On October 18, 2022, following a detention hearing, Judge David Cayer ordered Defendant detained, citing his prior criminal record, the strength of the Government's case, his history of violence and substance abuse, and his prior probation violations. (Document No. 7). Now, Defendant seeks to again be heard on the issue of bond; however, he does not clearly indicate what would constitute a material change of circumstances warranting release.

**IT IS, THEREFORE, ORDERED** that Defendant's "Motion For Hearing On Detention/Release" (Document No. 17) is **DENIED without prejudice**.

IT IS FURTHER ORDERED that Defendant may refile his motion if he can cast his argument in terms of what constitutes a material change of circumstances from his last bond consideration.

SO ORDERED.

Signed: January 23, 2023

David C. Keesler

United States Magistrate Judge